

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
3

4 WILLIE YORK,

No. C 14-2471

5 Plaintiff,

ORDER REFERRING  
CASE TO ADR UNIT  
FOR ASSESSMENT  
TELEPHONE  
CONFERENCE

6 v.

7 BANK OF AMERICA, CHAMPION  
MORTGAGE, and DOES 1-50,  
8 inclusive,

9 Defendants.

10 \_\_\_\_\_ /  
11 Pursuant to Civil Local Rule 16-8 and ADR Local Rule 2-3, the  
12 Court refers this foreclosure-related action to the Alternative  
13 Dispute Resolution (ADR) Unit for a telephone conference to assess  
14 this case's suitability for mediation or a settlement conference.  
15 Plaintiff and Defendants' counsel shall participate in a telephone  
16 conference, to be scheduled by the ADR Unit as soon as possible.  
17

18 Plaintiff and Defendants' counsel shall be prepared to discuss  
19 the following subjects:

- 20
- (1) Identification and description of claims and  
alleged defects in loan documents.
  - (2) Prospects for loan modification.
  - (3) Prospects for settlement.

21  
22 The parties need not submit written materials to the ADR Unit for  
23 the telephone conference.

24  
25 In preparation for the telephone conference, Plaintiff shall  
26 do the following:  
27  
28

- 1                     (1) Review relevant loan documents and investigate the  
2                     claims to determine whether they have merit.  
3  
4                     (2) If Plaintiff is seeking a loan modification to  
5                     resolve all or some of the claims, Plaintiff shall  
6                     prepare a current, accurate financial statement and  
7                     gather all of the information and documents  
8                     customarily needed to support a loan modification  
9                     request. Further, Plaintiff shall immediately  
10                  notify Defendants' counsel of the request for a loan  
11                  modification.  
12                  (3) Provide counsel for Defendants with information  
13                  necessary to evaluate the prospects for loan  
14                  modification, in the form of a financial statement,  
15                  worksheet or application customarily used by  
16                  financial institutions.

10                  In preparation for the telephone conference, counsel for  
11                  Defendants shall do the following.

- 12                  (1) If Defendants are unable or unwilling to do a loan  
13                  modification after receiving notice of Plaintiff's  
14                  request, counsel for Defendants shall promptly  
15                  notify Plaintiff to that effect.  
16  
17                  (2) Arrange for a representative of each Defendant with  
18                  full settlement authority to participate in the  
19                  telephone conference.

20                  The ADR Unit will notify the parties of the date and time  
21                  the telephone conference will be held. After the telephone  
22                  conference, the ADR Unit will advise the Court of its  
23                  recommendation for further ADR proceedings.

24                  IT IS SO ORDERED.

25  
26  
27  
28                  Dated: 6/25/14

  
\_\_\_\_\_  
United States District Judge